

DECLARATION OF SHAMOYITA M. DASGUPTA

Pursuant to 28 U.S.C. § 1746, I, SHAMOYITA M. DASGUPTA, declare as follows:

1. I am an attorney licensed to practice law in the State of Illinois. I have been an attorney since November 2015, and am admitted to practice in Illinois. I am also admitted to practice in the Northern District of Illinois, both as a member of the general bar and of the trial bar, and in the Central District of Illinois.
2. I am a member of the Chicago Bar Association, the Chicago chapter of the Federal Bar Association, and the Illinois State Bar Association. I am also a member of the Chicago chapter of the National Police Accountability Project (“NPAP”), a chapter of the National Lawyer’s Guild that promotes the accountability of law enforcement officers and their employers for violations of the Constitution and the laws of the United States. I regularly attend and participate in Chicago NPAP meetings, and have also been active in consulting with and responding to inquiries from colleagues and other civil rights attorneys on Chicago NPAP’s email listserv.
3. I graduated from the University of Texas in 2011 with a bachelor’s degree in Journalism. I graduated from Loyola University Chicago School of Law in 2015.
4. While attending law school, I completed clerkships in the Office of the Honorable Paul P. Biebel Jr., Condon & Cook, LLC, and the Hamilton Law Office, LLC. In addition, from 2014 to 2015, I was licensed under Illinois Supreme Court Rule 711 to represent clients of the Office of the Cook County Public Defender in court under the supervision of a licensed attorney. With my 711 license, I represented low-income defendants in criminal cases who were unable to afford a private criminal defense attorney. On numerous occasions, I was able to obtain favorable dispositions for the clients I was representing.

From 2014-2015, I was a student member of the Life After Innocence Clinic, where I worked with the wrongfully convicted after they had been released from incarceration to help provide them with legal and social services. From 2014-2015, I also worked with Dean David Yellen in his appointment as Special Master to review remaining claims of police misconduct by former Chicago Police Commander Jon Burge.

5. After I was admitted to the Illinois State Bar in 2015, in early 2016 I began working for the Law Office of Tony Thedford, P.C., where I worked for approximately six months, and the Law Offices of Irene K. Dymkar, where I am currently working full-time, as an attorney.
6. While at the Law Office of Tony Thedford, P.C., I worked extensively in the fields of criminal defense and federal civil rights litigation. I worked on a number of criminal cases both in the Northern District of Illinois and in Cook County. I appeared in and worked on two criminal cases pending in the Northern District of Illinois and 10-20 criminal cases pending in Cook County. As part of my work in the criminal defense arena, I drafted numerous motions and briefs, consulted with clients, and appeared in court for both felony and misdemeanor cases. As an attorney with the Law Office of Tony Thedford, P.C., I worked on four federal civil rights cases in the Northern District of Illinois, and as part of this work, I drafted numerous responses to and requests for written discovery.
7. At the Law Offices of Irene K. Dymkar, where I am one of two attorneys, I have worked extensively in the field of plaintiff's federal civil rights litigation, handling all aspects of the litigation. To date, I have appeared in and worked on thirty-two federal civil rights

cases filed in the Northern District of Illinois, one federal civil rights case filed in the Central District of Illinois, and two cases filed in state court, one of which involved a police shooting death. As part of my work in the civil arena with this office, I have helped draft complaints, motions, briefs, and responses to and requests for written discovery documents. I have drafted dispositive motions, motions *in limine*, motions for default, and pretrial orders and their relevant exhibits, as well as defended motions to dismiss and motions to quash, all of which have often required extensive research and analysis. The legal research I have conducted has covered a variety of different issues, many of which involved issues of first impression for the court. I have taken depositions of both friendly and adverse witnesses. In cases that involved expert discovery, I have actively communicated with and discussed their opinions with both medical and non-medical experts, prior to the preparation of their reports and their expert depositions. I have assisted in creating and presenting demonstrative evidence at trial, including those illustrating bullet trajectories with an interactive model, the location of gunshot wounds derived from an autopsy report, police vehicle movement derived from GPS data, organ injury, and so forth.

8. I participated in the trials of *Wilson v. Baptiste, et al.*, 13 C 7845, Northern District of Illinois, and *Bonner v. O'Toole*, 12 C 981, Northern District of Illinois, both of which resulted in favorable verdicts for the plaintiff. I was also co-counsel for two jury trials in federal court, *Wilbon, et al. v. Plovovich, et al.*, 12 C 1132, Northern District of Illinois, in which the jury ruled in plaintiffs' favor, and *Hill, et al. v. Harrington, et al.*, 18 C 5592, Northern District of Illinois, in which the jury ruled in plaintiffs' favor for two of

plaintiffs' three claims. I was also co-counsel for a damages bench trial in federal court in *Boatman, et al. v. Muhammad, et al.*, 18 C 4237, Northern District of Illinois, following which the presiding judge ordered a sizable compensatory damages amount for both plaintiffs. I was also co-counsel for both jury trials in the aforementioned shooting-death case in state court, *Davis v. City of Chicago*, 15 L 4799, Circuit Court of Cook County. The first jury trial lasted for one month and resulted in a deadlocked jury. The second trial also lasted a month, and resulted in a \$5 million verdict for the plaintiff. For all three federal cases and the two trials of the shooting death case in which I was co-counsel, I examined several witnesses, conducting direct examinations of friendly witnesses and cross-examinations of adverse witnesses. I have participated in and attended settlement conferences, and have also participated in informal settlement negotiations, including in settling a portion of a prison deliberate indifference case, which settled for \$3 million. I currently have appearances filed in and am actively working on seven federal civil rights cases pending before the Northern District of Illinois, and one case pending before the Central District of Illinois.

9. Additionally, as an attorney with the Law Offices of Irene K. Dymkar, I have assisted in the preparation and filing of several appeals to the United States Court of Appeals for the Seventh Circuit, most recently in *Wade, et al. v. Ramos, et al.*, 20-1241, and *Taylor v. Hughes, et al.*, 20-2377, the second of which resulted in a partial reversal and remand for trial in district court. Following the aforementioned \$5 million jury verdict to the plaintiff in *Davis v. City of Chicago*, I worked extensively to defend an appeal from the City of Chicago to the First District Appellate Court for the State of Illinois, in *Davis v. City of*

Chicago, 1-19-1805 & 1-19-2097 (cons.). The jury's verdict in that case was affirmed on appeal.

10. On March 28, 2017, when I had been admitted for just over one year, my billing rate was set at \$230/hour by United States District Judge Rebecca R. Pallmeyer, in the case of *Nelson v. Lis*, 09 C 883 (Docket No. 244), Northern District of Illinois. It was kept at that rate by United States District Judge Manish S. Shah, in the case of *Wilson v. Baptiste, et al.*, 13 C 7845 (Docket No. 286, July 13, 2017), Northern District of Illinois; by Magistrate Judge M. David Weisman, in the case of *Wilbon, et al., v. Plovovich, et al.*, 12 C 1132 (Docket No. 576, Feb. 1, 2019), Northern District of Illinois; by United States District Judge Sara L. Ellis, in the case of *Teague, et al. v. Miehle, et al.*, 14 C 6950 (Docket No. 239, March 19, 2019), Northern District of Illinois; and again by United States District Judge Manish S. Shah in the case of *Bonner v. O'Toole*, 12 C 981 (Docket No. 530, Sept. 11, 2019), Northern District of Illinois.
11. Now, with almost seven years of practice of as a trial attorney, handling all aspects of litigation, I have substantially more experience than when my rate was set at \$230/ hour and am seeking an increase in my rate to \$325/hour, commensurate with the market rate, as set forth in the fee petition to which this is attached.
12. The attached billing records fairly and accurately state the time that I spent working on this case, and they are also reasonable in terms of the time I spent on each task.

Pursuant to Section 1-109 of the Code of Civil Procedure, I declare under penalty of perjury that the foregoing declaration is true and correct to the best of my knowledge.

Dated: October 10, 2022

/s/ Shamoyita M. DasGupta

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